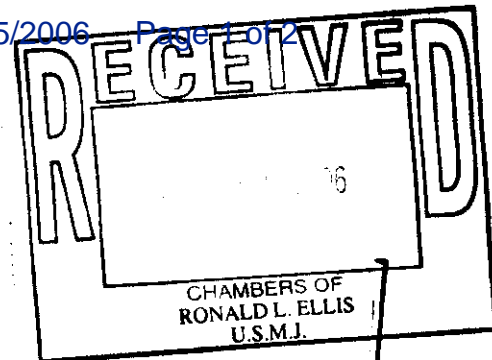


David A. Zelman, Esq.  
Law Office of David A. Zelman  
612 Eastern Parkway  
Brooklyn, NY 11225  
(718) 604-3072



Oct. 20, 2006


Honorable Ronald L. Ellis  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: McKay v. The City of New York et. al.  
Case #: 05-CV 8936 (KMK) (JCF)

Honorable Ronald L. Ellis:

I am the attorney for the plaintiff in the above matter. Recently, this office was served with discovery which for the first time lists the names and describes the roles which individual TBTA officers played in the incident complained of. As mentioned at the previous Court conference, once in receipt of these persons identities, this office intended to amend the complaint to add these officers.

Most recently, the Court ordered that the amended complaint was due on August 25, 2006. Since this office did not receive defendants disclosures until October, it would not have been possible at that time to ascertain the identities of all the officers involved nor the roles played by each of the officers in the arrest.

I have spoken to defense counsel and she has consented to this request. Therefore, I ask that this Court allow the plaintiff to amend the complaint to add new defendants up until October 30, 2006. 

Thank-you for your kind consideration in this matter.

Very Truly Yours:  
Law Office David A. Zelman

  
David A. Zelman, Esq.

**SO ORDERED**

  
MAGISTRATE JUDGE RONALD L. ELLIS

cc: Via Fax 212-608-8901  
Suzzane Halbardier, Esq.  
Barry McTiernan & Moore  
Counselors at Law  
2 Rector Street,  
New York, NY 10007